

APPEAL,CLOSED,EXP

**U.S. District Court  
DISTRICT OF ARIZONA (Phoenix Division)  
CIVIL DOCKET FOR CASE #: 2:15-cv-00247-JJT**

American Civil Liberties Union of Arizona et al v. United States  
Department of Homeland Security Office for Civil Rights and  
Civil Liberties et al

Assigned to: Judge John J Tuchi

Case in other court: Ninth Circuit, 18-15907

Cause: 05:552 Freedom of Information Act

Date Filed: 02/11/2015

Date Terminated: 05/29/2019

Jury Demand: None

Nature of Suit: 895 Other Statutes:

Freedom of Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union of  
Arizona**

represented by **Aarti G Reddy**  
Cooley LLP – San Francisco, CA  
101 California St., 5th Fl.  
San Francisco, CA 94111  
415-693-2000  
Fax: 415-693-2222  
Email: [areddy@cooley.com](mailto:areddy@cooley.com)  
*TERMINATED: 03/21/2018*  
*LEAD ATTORNEY*

**Daniel Joseph Pochoda**  
ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
602-650-1854  
Fax: 602-650-1376  
Email: [dpochoda@acluaz.org](mailto:dpochoda@acluaz.org)  
*TERMINATED: 04/04/2017*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Loy**  
ACLU – San Diego & Imperial Counties  
P.O. Box 87131  
San Diego, CA 92138-7131  
619-232-2121  
Fax: 619-232-0036  
Email: [davidloy@aclusandiego.org](mailto:davidloy@aclusandiego.org)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**James Duff Lyall**  
ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
602-650-1854  
Fax: 602-650-1376  
Email: [jlyall@acluaz.org](mailto:jlyall@acluaz.org)  
*TERMINATED: 07/20/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mitra Ebadolahi**  
ACLU – San Diego & Imperial Counties  
P.O. Box 87131  
San Diego, CA 92138-7131  
619-398-4187  
Fax: 619-232-0036  
Email: [mebadolahi@aclusandiego.org](mailto:mebadolahi@aclusandiego.org)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Victoria Lopez**

ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
602-773-6011  
Email: [vlopez@acluaz.org](mailto:vlopez@acluaz.org)  
*TERMINATED: 05/25/2016*

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Whitty Somvichian**

Cooley LLP – San Francisco, CA  
101 California St., 5th Fl.  
San Francisco, CA 94111  
415-693-2000  
Fax: 415-693-2222  
Email: [wsomvichian@cooley.com](mailto:wsomvichian@cooley.com)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Kathleen E Brody**

ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
602-650-1854  
Fax: 602-650-1376  
Email: [kbrody@acluaz.org](mailto:kbrody@acluaz.org)  
*ATTORNEY TO BE NOTICED*

**Kathryn Lynn Huddleston**

ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
602-650-1854  
Email: [khuddleston@acluaz.org](mailto:khuddleston@acluaz.org)  
*TERMINATED: 08/09/2017*  
*ATTORNEY TO BE NOTICED*

**William Bradford Peard**

ACLU – Phoenix, AZ  
P.O. Box 17148  
Phoenix, AZ 85011  
520-256-5387  
Email: [bpeard@acluaz.org](mailto:bpeard@acluaz.org)  
*TERMINATED: 05/21/2019*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**American Civil Liberties Union of San  
Diego and Imperial Counties**

represented by **Aarti G Reddy**  
(See above for address)  
*TERMINATED: 03/21/2018*  
*LEAD ATTORNEY*

**Daniel Joseph Pochoda**

(See above for address)  
*TERMINATED: 04/04/2017*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**David Loy**

(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**James Duff Lyall**  
(See above for address)  
*TERMINATED: 07/20/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Mitra Ebadolahi**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Victoria Lopez**  
(See above for address)  
*TERMINATED: 05/25/2016*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Whitty Somvichian**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kathleen E Brody**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Kathryn Lynn Huddleston**  
(See above for address)  
*TERMINATED: 08/09/2017*  
*ATTORNEY TO BE NOTICED*

**William Bradford Peard**  
(See above for address)  
*TERMINATED: 05/21/2019*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**United States Department of Homeland  
Security Office for Civil Rights and  
Civil Liberties**

represented by **Emily Sue Newton**  
US Dept of Justice  
20 Massachusetts Ave. NW  
Washington, DC 20001  
202-305-8356  
Email: [emily.s.newton@usdoj.gov](mailto:emily.s.newton@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stuart Justin Robinson**  
US Dept of Justice – Civil Division  
20 Massachusetts Ave. NW  
Washington, DC 20530  
202-514-9239  
Fax: 202-616-8470  
Email: [stuart.j.robinson@usdoj.gov](mailto:stuart.j.robinson@usdoj.gov)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Department of Homeland  
Security Office of Inspector General**

represented by **Emily Sue Newton**  
(See above for address)  
*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Stuart Justin Robinson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Customs and Border  
 Protection**

represented by **Emily Sue Newton**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stuart Justin Robinson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Immigration and  
 Customs Enforcement**

represented by **Emily Sue Newton**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stuart Justin Robinson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**United States Department of Homeland  
 Security**

represented by **Emily Sue Newton**  
 (See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Stuart Justin Robinson**  
 (See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
02/11/2015	<u>1</u>	COMPLAINT. Filing fee received: \$400.00, receipt number 0970-11343590 filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (submitted by James Lyall) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet)(REK) (Entered: 02/11/2015)
02/11/2015	<u>2</u>	SUMMONS Submitted by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (submitted by James Lyall) (REK) (Entered: 02/11/2015)
02/11/2015	<u>3</u>	Corporate Disclosure Statement by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (submitted by James Lyall) (REK) (Entered: 02/11/2015)
02/11/2015	<u>4</u>	Filing fee paid, receipt number 0970-11343590. This case has been assigned to the Honorable John J. Tuchi. All future pleadings or documents should bear the correct case number: CV-15-00247-PHX-JJT. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (REK) (Entered: 02/11/2015)
02/11/2015	<u>5</u>	Summons Issued as to United States Department of Homeland Security. (REK). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 02/11/2015)
02/11/2015	<u>6</u>	ORDER: IT IS ORDERED that a motion pursuant to Fed. R. Civ. P. 12(b) is discouraged if the defect that would be the subject of the motion can be cured by filing

		an amended pleading. IT IS FURTHER ORDERED that plaintiff shall serve a copy of this order on defendants. (See attached Order for additional details). Signed by Judge John J Tuchi on 2/11/15. (JAMA) (Entered: 02/11/2015)
02/19/2015	<u>7</u>	MOTION for Admission Pro Hac Vice as to attorney Aarti G Reddy on behalf of American Civil Liberties Union of Arizona, and American Civil Liberties Union of San Diego and Imperial Counties. (BAS) (Entered: 02/19/2015)
02/19/2015		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX155478 as to Aarti G Reddy. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/19/2015)
02/19/2015	<u>8</u>	MOTION for Admission Pro Hac Vice as to attorney Whitty Somvichian on behalf of American Civil Liberties Union of Arizona, and American Civil Liberties Union of San Diego and Imperial Counties. (BAS) (Entered: 02/19/2015)
02/19/2015		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX155477 as to Whitty Somvichian. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/19/2015)
02/19/2015	9	ORDER pursuant to General Order 09-08 granting <u>7</u> Motion for Admission Pro Hac Vice; granting <u>8</u> Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 02/19/2015)
02/20/2015	<u>10</u>	SUMMONS Submitted by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Summons Office of Inspector General, # <u>2</u> Summons United States Customs and Border Protection, # <u>3</u> Summons United States Immigration and Customs Enforcement)(Lyll, James) (Entered: 02/20/2015)
02/20/2015	<u>11</u>	MOTION for Admission Pro Hac Vice as to attorney Mitra Ebadolahi on behalf of American Civil Liberties Union of Arizona, and American Civil Liberties Union of San Diego and Imperial Counties. (BAS) (Entered: 02/20/2015)
02/20/2015		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX155564 as to Mitra Ebadolahi. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/20/2015)
02/20/2015	<u>12</u>	MOTION for Admission Pro Hac Vice as to attorney David Loy on behalf of American Civil Liberties Union of Arizona, and American Civil Liberties Union of San Diego and Imperial Counties. (BAS) (Entered: 02/20/2015)
02/20/2015		PRO HAC VICE FEE PAID. \$ 35, receipt number PHX155563 as to David Loy. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 02/20/2015)
02/20/2015	13	ORDER pursuant to General Order 09-08 granting <u>11</u> Motion for Admission Pro Hac Vice; granting <u>12</u> Motion for Admission Pro Hac Vice. Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. Counsel is advised that they are limited to two (2) additional e-mail addresses in their District of Arizona User Account. (BAS) (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 02/20/2015)
02/23/2015	<u>14</u>	Summons Issued as to United States Customs and Border Protection, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (REK). *** IMPORTANT: When printing the summons, select "Document and stamps" or "Document and comments" for the seal to appear on the document. (Entered: 02/23/2015)

03/10/2015	<u>15</u>	SERVICE EXECUTED filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties: Affidavit of Service re: Complaint and Exhibits A-G; Civil Cover Sheet; Corporate Disclosure Statement; Notice of Availability of US Magistrate Judge; Summons; Order re FRCP 12(b) upon United States Department of Homeland Security through John Leonardo, United States Attorney, District of Arizona on February 24, 2015. (Lyall, James) (Entered: 03/10/2015)
03/26/2015	<u>16</u>	<i>Defendants'</i> ANSWER to <u>1</u> Complaint by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Customs and Border Protection, United States Immigration and Customs Enforcement, United States Department of Homeland Security. (Newton, Emily) *Modified on 3/26/2015 to correct filers (MAP)*. (Entered: 03/26/2015)
04/09/2015	<u>17</u>	SCHEDULING ORDER issued. See attached Order for deadlines and details. Signed by Judge John J Tuchi on 4/9/15. (JAMA) (Entered: 04/09/2015)
09/21/2015	<u>18</u>	STATUS REPORT <i>filed jointly with Plaintiffs</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order Defendant's Proposed Order, # <u>2</u> Text of Proposed Order Plaintiffs' Proposed Order)(Newton, Emily) (Entered: 09/21/2015)
09/30/2015	<u>19</u>	ORDER: IT IS ORDERED setting a telephonic hearing in this matter for Thursday, October 8, 2015, at 2:00 p.m. in Courtroom 505, 401 W. Washington Street, Phoenix, AZ 85003, before Judge John J. Tuchi. Chambers will e-mail dial-in information to all counsel prior to the telephonic hearing. (See attached Order). Signed by Judge John J Tuchi on 9/30/15. (JAMA) (Entered: 09/30/2015)
10/08/2015	<u>20</u>	MINUTE ENTRY for proceedings held before Judge John J Tuchi: Telephone Conference held on 10/8/2015 re: the Parties' Joint Status Report (Doc. <u>18</u> ). Document and briefing production deadlines discussed. IT IS ORDERED that Defendants shall produce all responsive documents on a rolling basis, to be completed no later than May 27, 2016; that Defendants' opening brief and accompanying declarations shall be filed by June 17, 2016; that Plaintiff's cross-motion in opposition shall be filed no later than July 22, 2016; that Defendants' reply in opposition shall be filed no later than August 19, 2016; and that Plaintiff's reply shall be filed no later than September 2, 2016. The Court reserves the question of the timing for Defendants' provision of the Vaughn index pending further review. IT IS FURTHER ORDERED that the parties will jointly submit a brief statement regarding the formulation and use of the Vaughn index by no later than 5:00 PM Arizona time on Thursday, October 22, 2015.  APPEARANCES: Telephonic appearance by Aarti Reddy, James Lyall, Mitra Ebadolahi, and Lauren Pomeroy for Plaintiffs. Telephonic appearance by Emily Newton for Defendants. (Court Reporter Elaine Cropper.) Hearing held 1:55 PM to 2:23 PM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JAMA) (Entered: 10/08/2015)
10/21/2015	<u>21</u>	ORDER: IT IS ORDERED that Defendants shall produce the Vaughn index no later than May 27, 2016, the deadline for completing document production to Plaintiffs. IT IS FURTHER ORDERED vacating that portion of the Court's October 8, 2015, Minute Entry requiring the parties to jointly produce by October 22, 2015, a statement regarding the formulation and use of the Vaughn index. (See attached Order for complete details). Signed by Judge John J Tuchi on 10/21/15. (JAMA) (Entered: 10/21/2015)
02/04/2016	<u>22</u>	First MOTION for Extension of Time to <i>Complete Production and Provide Vaughn Indexes</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit Counsel correspondence, # <u>2</u> Affidavit Marwaha Declaration, # <u>3</u> Affidavit Burroughs Declaration, # <u>4</u> Text of Proposed



		Order)(Newton, Emily) (Entered: 02/04/2016)
02/08/2016	<u>23</u>	*Response in Opposition to <u>22</u> Defendants Motion for Extension of Production and Briefing Deadlines by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties . (Reddy, Aarti) *Modified to correct docket event and document number on 2/9/2016 (EJA). (Entered: 02/08/2016)
02/18/2016	<u>24</u>	RESPONSE in Opposition re: <u>22</u> First MOTION for Extension of Time <i>to Complete Production and Provide Vaughn Indexes Opposition to Defendants Motion for Extension of Production and Briefing Deadlines (First Request)</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order)(Reddy, Aarti) (Entered: 02/18/2016)
02/18/2016	<u>25</u>	DECLARATION of Aarti G. Reddy re: <u>24</u> Response in Opposition to Motion <i>for Extension of Production and Briefing Deadlines.</i> , RESPONSE in Opposition re: <u>22</u> First MOTION for Extension of Time <i>to Complete Production and Provide Vaughn Indexes</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Reddy, Aarti) (Entered: 02/18/2016)
02/25/2016	<u>26</u>	REPLY to Response to Motion re: <u>22</u> First MOTION for Extension of Time <i>to Complete Production and Provide Vaughn Indexes</i> filed by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Exhibit)(Newton, Emily) (Entered: 02/25/2016)
03/31/2016	<u>27</u>	ORDER: IT IS ORDERED denying in part <u>22</u> Defendants' Motion for Extension of Production and Briefing Deadlines as to the extension of document production and briefing deadlines, but granting in part the Motion as to the extension of Vaughn index deadlines. IT IS FURTHER ORDERED resetting the document, briefing, and Vaughn index production schedule. IT IS FURTHER ORDERED that beginning May 1, 2016, Defendant agencies shall provide brief monthly status reports every first day of the month to Plaintiffs. The reports shall indicate the review rate, remaining documents, and otherwise show Defendants' compliance with the Court's Scheduling Orders. (See attached Order for complete details and deadlines). Signed by Judge John J Tuchi on 3/31/16. (JAMA) (Entered: 03/31/2016)
04/30/2016	<u>28</u>	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) (Entered: 04/30/2016)
05/23/2016	<u>29</u>	MOTION to Withdraw as Attorney <i>Victoria Lopez</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order)(Pochoda, Daniel) (Entered: 05/23/2016)
05/25/2016	<u>30</u>	ORDER: IT IS ORDERED granting <u>29</u> the Motion to Withdraw Victoria Lopez as Counsel of Record for Plaintiffs. (See attached Order for additional details). Signed by Judge John J Tuchi on 8/25/16.(JAMA) (Entered: 05/25/2016)
06/01/2016	<u>31</u>	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) (Entered: 06/01/2016)
07/01/2016	<u>32</u>	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) (Entered: 07/01/2016)

07/06/2016	<u>33</u>	NOTICE of Appearance by Stuart Justin Robinson on behalf of United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Robinson, Stuart) (Entered: 07/06/2016)
07/08/2016	<u>34</u>	* MOTION to Stay <i>PROCEEDINGS WITH RESPECT TO DEFENDANT OFFICE OF THE INSPECTOR GENERAL, AND SECOND MOTION/REQUEST FOR MODIFICATION OF THE BRIEFING SCHEDULE</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration, # <u>2</u> Declaration, # <u>3</u> Text of Proposed Order)(Robinson, Stuart). *Added MOTION for Modification of Briefing Schedule on 7/11/2016 (REK). (Entered: 07/08/2016)
07/11/2016	<u>35</u>	ORDER: IT IS HEREBY ORDERED that Plaintiffs are to file a response to Defendants' Motion for Stay (Doc. <u>34</u> ) by July 19, 2016. IT IS FURTHER ORDERED that any reply is due by July 22, 2016. (See attached Order). Signed by Judge John J Tuchi on 7/11/16. (JAMA) (Entered: 07/11/2016)
07/18/2016	<u>36</u>	MOTION to Withdraw as Attorney <i>James Duff Lyall</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order)(Pochoda, Daniel) (Entered: 07/18/2016)
07/19/2016	<u>37</u>	*MOTION (Request) for Sanctions and RESPONSE in Opposition re: <u>34</u> MOTION to Stay <i>PROCEEDINGS WITH RESPECT TO DEFENDANT OFFICE OF THE INSPECTOR GENERAL, AND SECOND REQUEST FOR MODIFICATION OF THE BRIEFING SCHEDULE</i> MOTION for Modification of Briefing Schedule <i>Plaintiffs Request For Sanctions And Opposition To Defendants Motion For Stay Of Proceedings With Respect To Defendant Office Of The Inspector General, And Second Request For Modification Of The Briefing Schedule</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) *Modified to correct event on 7/20/2016 (ATD). (Entered: 07/19/2016)
07/19/2016	<u>38</u>	DECLARATION of Aarti G. Reddy re: <u>37</u> Response in Opposition to Motion <i>Declaration Of Aarti G. Reddy In Support Of Plaintiffs Request For Sanctions And Opposition To Defendants Motion For Stay Of Proceedings With Respect To Defendant Office Of The Inspector General, And Second Request For Modification Of The Briefing Schedule.</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Reddy, Aarti) (Entered: 07/19/2016)
07/19/2016	<u>39</u>	DECLARATION of Mitra Ebadolahi re: <u>37</u> Response in Opposition to Motion <i>Declaration Of Mitra Ebadolahi In Support Of Plaintiffs Request For Sanctions And Opposition To Defendants Motion For Stay Of Proceedings With Respect To Defendant Office Of The Inspector General, And Second Request For Modification Of The Briefing Schedule.</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) (Entered: 07/19/2016)
07/19/2016	<u>40</u>	*REQUEST for Judicial Notice re: <u>37</u> Response in Opposition to Motion <i>Plaintiffs Request Judicial Notice In Support Of Its Request For Sanctions And Opposition To Defendants Motion For Stay Of Proceedings With Respect To Defendant Office Of The Inspector General, And Second Request For Modification Of The Briefing Schedule</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) *Modified to correct event on 7/20/2016 (ATD). (Entered: 07/19/2016)
07/20/2016	<u>41</u>	ORDER: IT IS ORDERED granting <u>36</u> Plaintiffs' Motion to Withdraw James Duff Lyall as counsel of record for the Plaintiffs. Signed by Judge John J Tuchi on 7/19/16.(JAMA) (Entered: 07/20/2016)



07/22/2016	<u>42</u>	REPLY to Response to Motion re: <u>34</u> MOTION to Stay <i>PROCEEDINGS WITH RESPECT TO DEFENDANT OFFICE OF THE INSPECTOR GENERAL, AND SECOND REQUEST FOR MODIFICATION OF THE BRIEFING SCHEDULE</i> MOTION for Modification of Briefing Schedule filed by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Affidavit Ferrand Declaration)(Newton, Emily) (Entered: 07/22/2016)
08/04/2016	<u>43</u>	NOTICE of Appearance by Kathleen E Brody on behalf of American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Brody, Kathleen) (Entered: 08/04/2016)
09/02/2016	<u>44</u>	ORDER: IT IS ORDERED that the parties shall appear before this Court in Courtroom 505, Sandra Day O'Connor United States Courthouse, 401 W. Washington St., Phoenix, Arizona 85003, on September 16, 2016, at 2 p.m. for a hearing on Defendant's Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule (Doc. <u>34</u> ), including the status of document production, and Plaintiffs' Motion for Sanctions (Doc. <u>37</u> ). IT IS FURTHER ORDERED that Counsel to the Inspector General appear before the Court at the September 16, 2016 hearing. IT IS FURTHER ORDERED that during pendency of these proceedings, Defendant shall continue to produce responsive documents on a rolling basis and will redouble its efforts, working diligently towards the production of all responsive documents, utilizing the identified resources and progress initiatives indicated in its Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule (Doc. <u>34</u> ). (See attached Order for details). Signed by Judge John J Tuchi on 9/2/16. (JAMA) (Entered: 09/02/2016)
09/07/2016	<u>45</u>	Joint MOTION to Continue HEARING ON DEFENDANT'S MOTION TO STAY PROCEEDINGS AND SECOND MOTION FOR MODIFICATION OF THE BRIEFING SCHEDULE AND PLAINTIFFS' REQUEST FOR SANCTIONS by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order)(Reddy, Aarti) (Entered: 09/07/2016)
09/09/2016	<u>46</u>	ORDER: IT IS HEREBY ORDERED granting the parties' Joint Motion to Continue Hearing on Defendant's Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule and Plaintiffs' Request for Sanctions (Doc. <u>45</u> ). The 2:00 p.m. hearing on September 16, 2016 is vacated and reset for 8:00 a.m. on October 3, 2016. The parties shall appear before this Court in Courtroom 505, Sandra Day O'Connor United States Courthouse, 401 W. Washington St., Phoenix, Arizona 85003, for a hearing on Defendant's Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule (Doc. <u>34</u> ), including the status of document production, and Plaintiffs' Motion for Sanctions (Doc. <u>37</u> ). IT IS FURTHER ORDERED that all other aspects of this Court's Order of September 2, 2016 (Doc. <u>44</u> ) are in effect. (See attached Order). Signed by Judge John J Tuchi on 9/9/16.(JAMA) (Entered: 09/09/2016)
10/03/2016	47	MINUTE ENTRY for proceedings held before Judge John J Tuchi: Motion Hearing held on 10/3/2016 re: Defendant's Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule (Doc. <u>34</u> ), including the status of document production, and Plaintiffs' Motion for Sanctions (Doc. <u>37</u> ). Discussion held. For reasons as stated on the record, IT IS ORDERED granting in part and denying in part Defendant's Motion to Stay Proceedings and Second Motion for Modification of the Briefing Schedule (Doc. <u>34</u> ). IT IS FURTHER ORDERED that by no later than noon on Friday, 10/7/2016, the parties shall file with the Court a joint proposed schedule for the remaining components of the delivery of documents, indices and briefing schedule. IT IS FURTHER ORDERED taking under advisement Plaintiffs' Motion for Sanctions (Doc. <u>37</u> ).  APPEARANCES: Aarti Reddy and Kathleen Brody for Plaintiffs. Emily Newton for Defendants. (Court Reporter Elaine Cropper.) Hearing held 8:01 AM to 8:45 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JAMA) (Entered: 10/03/2016)

10/04/2016	<u>48</u>	TRANSCRIPT REQUEST by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties for proceedings held on 10-03-2016, Judge John J Tuchi hearing judge(s). (Reddy, Aarti) (Entered: 10/04/2016)
10/06/2016	<u>49</u>	STIPULATION <i>regarding Parties' Proposed Schedule</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 10/06/2016)
10/11/2016	<u>50</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of <i>MOTION HEARING</i> proceedings held on 10/03/2016, before Judge John J. Tuchi. (Court Reporter: Elaine Cropper). The ordering party will have electronic access to the transcript immediately. All others may view the transcript at the court public terminal or it may be purchased through the Court Reporter/Transcriber by filing a Transcript Order Form on the docket before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/1/2016. Redacted Transcript Deadline set for 11/14/2016. Release of Transcript Restriction set for 1/9/2017. (RAP) (Entered: 10/13/2016)
10/19/2016	<u>51</u>	ORDER: IT IS ORDERED granting <u>49</u> the Joint Proposed Schedule. (See attached Order for details and deadlines). Signed by Judge John J Tuchi on 10/19/16. (JAMA) (Entered: 10/19/2016)
11/16/2016	<u>52</u>	Joint MOTION to Amend/Correct <u>51</u> Order on Stipulation by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Declaration of Aarti G. Reddy, # <u>2</u> Text of Proposed Order)(Reddy, Aarti) (Entered: 11/16/2016)
11/18/2016	<u>53</u>	ORDER: IT IS ORDERED granting <u>52</u> the Parties' Joint Motion to Amend Scheduling Order. (See attached Order for deadlines and details). Signed by Judge John J Tuchi on 11/18/16.(JAMA) (Entered: 11/18/2016)
02/06/2017	<u>54</u>	Fourth MOTION for Extension of Time to File Motion for Summary Judgment , <i>Vaughn indices, and accompanying declarations</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 02/06/2017)
02/07/2017	<u>55</u>	ORDER: IT IS ORDERED granting <u>54</u> Defendants' Motion for an Extension of Time to File Motion for Summary Judgment. Defendants have until February 10, 2017, to file their motion for summary judgment, final Vaughn indices, and accompanying declarations. Signed by Judge John J Tuchi on 2/6/17.(JAMA) (Entered: 02/07/2017)
02/10/2017	<u>56</u>	MOTION for Summary Judgment by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Affidavit Exhibit A – Howard Declaration (CBP), # <u>3</u> Appendix Exhibit A1 – Vaughn Index (CBP), # <u>4</u> Affidavit Exhibit B – Pineiro Declaration (ICE), # <u>5</u> Appendix Exhibit B1 – Vaughn Index (ICE), # <u>6</u> Affidavit Exhibit C – Tyrrell Declaration (CRCL), # <u>7</u> Appendix Exhibit C1 – Vaughn Index (CRCL), # <u>8</u> Affidavit Exhibit D – Goal Declaration (OIG), # <u>9</u> Appendix Exhibit D1 – Vaughn Index (OIG))(Newton, Emily) (Entered: 02/10/2017)
02/10/2017	<u>57</u>	STATEMENT OF FACTS re: <u>56</u> MOTION for Summary Judgment by Defendants United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) (Entered: 02/10/2017)

02/15/2017	<u>58</u>	Consent MOTION for Leave to File Excess Pages by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 02/15/2017)
02/17/2017	<u>59</u>	ORDER: IT IS ORDERED granting Defendants' Nunc Pro Tunc Motion for an Extension of the Page Limits (Doc. 58). Defendants are permitted to file a motion for summary judgment not to exceed 25 pages. In addition, Plaintiffs' combined cross-motion for summary judgment and opposition to Defendants' motion for summary judgment shall not exceed 30 pages; Defendants' opposition to Plaintiffs' cross-motion for summary judgment and reply shall not exceed 15 pages; and Plaintiffs' reply shall not exceed 10 pages. (See attached Order). Signed by Judge John J Tuchi on 2/17/17.(JAMA) (Entered: 02/17/2017)
03/15/2017	<u>60</u>	ORDER denying <u>37</u> Motion for Sanctions with leave to re-file after the Court rules on Defendants' pending Motion for Summary Judgment <u>56</u> . Signed by Judge John J. Tuchi on 3/15/17.(CLB) (Entered: 03/15/2017)
03/28/2017	<u>61</u>	RESPONSE to Motion re: <u>56</u> MOTION for Summary Judgment filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) (Entered: 03/28/2017)
03/28/2017	<u>62</u>	MOTION for Summary Judgment by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Affidavit of Kathryn Huddleston, # <u>2</u> Affidavit of James F. Tomscheck, # <u>3</u> Text of Proposed Order)(Reddy, Aarti) (Entered: 03/28/2017)
03/28/2017	<u>63</u>	STATEMENT OF FACTS re: <u>62</u> MOTION for Summary Judgment by Plaintiffs American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) (Entered: 03/28/2017)
03/28/2017	<u>64</u>	*STATEMENT OF FACTS re: <u>61</u> Response to Motion for Summary Judgment, <u>57</u> Statement of Facts <i>Plaintiffs Controverting Statement of Facts</i> by Plaintiffs American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Reddy, Aarti) *Modified on 3/29/2017 to add document linkage (ATD). (Entered: 03/28/2017)
03/28/2017	<u>65</u>	DECLARATION of Aarti G. Reddy re: <u>63</u> Statement of Facts, <u>62</u> MOTION for Summary Judgment . filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Exhibit Index, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9)(Reddy, Aarti) (Entered: 03/28/2017)
03/28/2017	<u>66</u>	Additional Attachments to Main Document re: <u>65</u> Declaration, <u>63</u> Statement of Facts, <u>62</u> MOTION for Summary Judgment <i>Exhibit 10</i> by Plaintiffs American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Exhibit 11, # <u>2</u> Exhibit 12, # <u>3</u> Exhibit 13, # <u>4</u> Exhibit 14, # <u>5</u> Exhibit 15, # <u>6</u> Exhibit 16, # <u>7</u> Exhibit 17, # <u>8</u> Exhibit 18, # <u>9</u> Exhibit 19, # <u>10</u> Exhibit 20)(Reddy, Aarti) (Entered: 03/28/2017)
04/04/2017	<u>67</u>	NOTICE of Attorney Withdrawal <i>Daniel J. Pochoda</i> filed by Kathleen E Brody. (Brody, Kathleen) (Entered: 04/04/2017)
04/10/2017	<u>68</u>	NOTICE of Appearance by Kathryn Lynn Huddleston on behalf of American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Huddleston, Kathryn) (Entered: 04/10/2017)
04/25/2017	<u>69</u>	Consent MOTION for Extension of Time to file Reply <i>in Support of Summary Judgment and Opposition to Plaintiffs' Cross Motion for Summary Judgment</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 04/25/2017)

04/26/2017	<u>70</u>	ORDER: IT IS ORDERED granting <u>69</u> Defendants' Unopposed Motion for One-Day Extension To File Their Reply in Support of their Motion for Summary Judgment and Opposition to Plaintiffs' Cross Motion for Summary Judgment. Defendants shall file their Reply no later than Wednesday, April 26, 2017. Signed by Judge John J Tuchi on 4/25/17.(JAMA) (Entered: 04/26/2017)
04/26/2017	<u>71</u>	*REPLY to Response to Motion re: <u>56</u> MOTION for Summary Judgment, RESPONSE to Motion re <u>62</u> MOTION for Summary Judgment filed by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Defendants' Controverting Statement of Facts, # <u>2</u> Affidavit CRCL, # <u>3</u> Exhibit CRCL A-1, # <u>4</u> Exhibit CRCL A-2, # <u>5</u> Exhibit CRCL A-3, # <u>6</u> Affidavit CBP, # <u>7</u> Exhibit CBP B-1, # <u>8</u> Exhibit CBP B-2, # <u>9</u> Affidavit ICE, # <u>10</u> Exhibit ICE Supplemental Vaughn, # <u>11</u> Affidavit OIG, # <u>12</u> Exhibit OIG Supplemental Vaughn)(Newton, Emily) *Modified at response/linkage on 4/27/2017 (DXD). (Entered: 04/26/2017)
05/12/2017	<u>72</u>	* MOTION for Extension of Time to File Reply in Support of Motion for Summary Judgment by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Affidavit of Aarti G. Reddy, # <u>2</u> Text of Proposed Order)(Reddy, Aarti) * Modified to reflect correct event on 5/15/2017 (SLQ). (Entered: 05/12/2017)
05/15/2017	<u>73</u>	ORDER granting <u>72</u> Motion for Extension of Time to File Reply re: <u>62</u> MOTION for Summary Judgment. The due date for Plaintiffs to file a reply in support of their Motion for Summary Judgment (Doc. <u>62</u> ) is extended to July 7, 2017. Signed by Judge John J Tuchi on 5/15/17. (LAD) (Entered: 05/15/2017)
07/07/2017	<u>74</u>	REPLY to Response to Motion re: <u>62</u> MOTION for Summary Judgment <i>PLAINTIFFS' REPLY IN SUPPORT OF THEIR CROSS MOTION FOR SUMMARY JUDGMENT</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Affidavit of James F. Tomscheck, # <u>2</u> Affidavit of Aarti G. Reddy, # <u>3</u> Exhibit Index, # <u>4</u> Exhibit 21, # <u>5</u> Exhibit 22, # <u>6</u> Exhibit 23, # <u>7</u> Exhibit 24, # <u>8</u> Exhibit 25, # <u>9</u> Exhibit 26, # <u>10</u> Exhibit 27, # <u>11</u> Exhibit 28, # <u>12</u> Exhibit 29, # <u>13</u> Exhibit 30, # <u>14</u> Exhibit 31, # <u>15</u> Exhibit 32, # <u>16</u> Exhibit 33, # <u>17</u> Exhibit 34, # <u>18</u> Exhibit 35, # <u>19</u> Exhibit 36, # <u>20</u> Exhibit 37, # <u>21</u> Exhibit 38)(Somvichian, Whitty) (Entered: 07/07/2017)
08/09/2017	<u>75</u>	*NOTICE of Attorney Withdrawal terminating Kathryn Lynn Huddleston by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Brody, Kathleen) *Modified to correct event on 8/10/2017 (DXD). (Entered: 08/09/2017)
08/14/2017	<u>76</u>	ORDER granting in part and denying in part <u>56</u> Defendants Motion for Summary Judgment and <u>62</u> Plaintiffs Motion for Summary Judgment. Granting each party leave to re-file abbreviated and non-duplicative motions for summary judgment as set forth in this Order, if necessary. See Order for details. Signed by Judge John J Tuchi on 8/14/17.(DXD) (Entered: 08/14/2017)
08/28/2017	<u>77</u>	MOTION for Reconsideration re: <u>76</u> Order on Motion for Summary Judgment <i>or, in the Alternative, for Partial Stay Pending Potential Appeal</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Robinson, Stuart) (Entered: 08/28/2017)
08/30/2017	<u>78</u>	NOTICE of Appearance by William Bradford Peard on behalf of American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Peard, William) (Entered: 08/30/2017)
10/25/2017	<u>79</u>	ORDER: IT IS ORDERED that Plaintiffs shall file a brief in response to Defendants' Motion for Reconsideration (Doc. <u>77</u> ) not to exceed 12 pages by November 8, 2017. No replies are permitted. (See attached Order). Signed by Judge John J Tuchi on 10/25/17. (JAMA) (Entered: 10/25/2017)



11/01/2017	<u>80</u>	MOTION for Extension of Time to File Response/Reply as to <u>79</u> Order, <u>77</u> MOTION for Reconsideration re: <u>76</u> Order on Motion for Summary Judgment <i>or, in the Alternative, for Partial Stay Pending Potential Appeal</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Affidavit of Aarti G. Reddy, # <u>2</u> Text of Proposed Order)(Somvichian, Whitty) (Entered: 11/01/2017)
11/02/2017	<u>81</u>	ORDER: IT IS ORDERED granting <u>80</u> Plaintiffs' Unopposed Motion for an Extension of Time to File Response to Defendants' Motion for Reconsideration. The due date for Plaintiffs' to file a response to Defendants' Motion for Reconsideration (Doc. <u>77</u> ) is extended to November 15, 2017. (See attached Order). Signed by Judge John J Tuchi on 11/2/17.(JAMA) (Entered: 11/02/2017)
11/09/2017	<u>82</u>	NOTICE re: of Supplemental Authority by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement re: <u>77</u> MOTION for Reconsideration re: <u>76</u> Order on Motion for Summary Judgment <i>or, in the Alternative, for Partial Stay Pending Potential Appeal</i> . (Attachments: # <u>1</u> Exhibit Attachment 1)(Newton, Emily) (Entered: 11/09/2017)
11/15/2017	<u>83</u>	RESPONSE to Motion re: <u>77</u> MOTION for Reconsideration re: <u>76</u> Order on Motion for Summary Judgment <i>or, in the Alternative, for Partial Stay Pending Potential Appeal Plaintiffs Response to Defendants Motion for Partial Reconsideration or, in the Alternative, for Partial Stay Pending Potential Appeal</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Declaration of Aarti G. Reddy in Support, # <u>2</u> Exhibit A to Reddy Declaration, # <u>3</u> Exhibit B to Reddy Declaration, # <u>4</u> Exhibit C to Reddy Declaration, # <u>5</u> Exhibit D to Reddy Declaration, # <u>6</u> Exhibit E to Reddy Declaration, # <u>7</u> Exhibit F to Reddy Declaration, # <u>8</u> Exhibit G to Reddy Declaration, # <u>9</u> Declaration of Mitra Ebadolahi in Support)(Reddy, Aarti) (Entered: 11/15/2017)
03/21/2018	<u>84</u>	NOTICE of Attorney Withdrawal <i>Aarti G. Reddy</i> filed by Whitty Somvichian. (Somvichian, Whitty) (Entered: 03/21/2018)
03/22/2018	<u>85</u>	ORDER: Defendants' Motion for Reconsideration <u>77</u> is granted in part and denied in part. The Court agrees it erred when it stated that a protective order would be appropriate under FOIA to keep disclosure of the employees' names private. However, upon review of the parties' more extensive briefing, the Court still finds that the requested employees' names are not exempt from disclosure under FOIA Exemptions 6 or 7(C), and Defendants must therefore disclose the requested names. IT IS FURTHER ORDERED granting Defendants a stay of 60 days from the date of this Order to comply with this Order. This stay applies only to the disclosures addressed in this Order. IT IS FURTHER ORDERED that the parties shall file a joint status report 60 days from the date of this Order. Signed by Judge John J Tuchi on 3/22/2018. (REK) (Entered: 03/22/2018)
05/15/2018	<u>86</u>	MOTION to Stay <i>for Two Weeks Defendants' Production Deadline</i> by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 05/15/2018)
05/16/2018	<u>87</u>	RESPONSE in Opposition re: <u>86</u> MOTION to Stay <i>for Two Weeks Defendants' Production Deadline</i> filed by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Somvichian, Whitty) (Entered: 05/16/2018)
05/17/2018	<u>88</u>	ORDER: IT IS ORDERED denying <u>86</u> Defendants' Motion for a Two-Week Administrative Stay of Production Deadline. (See attached Order). Signed by Judge John J Tuchi on 5/17/18. (JAMA) (Entered: 05/17/2018)
05/17/2018	<u>89</u>	*NOTICE OF INTERLOCUTORY APPEAL to 9th Circuit Court of Appeals re: <u>85</u> Order by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil



		Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) *Modified to correct event on 5/18/2018 (REK). (Entered: 05/17/2018)
05/18/2018	<u>90</u>	NOTICE TO FILER OF DEFICIENCY re: <u>89</u> Notice of Appeal filed by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Immigration and Customs Enforcement, United States Customs and Border Protection, United States Department of Homeland Security Office of Inspector General, United States Department of Homeland Security. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. No further action is required. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 05/18/2018)
05/18/2018	<u>91</u>	USCA Case Number re: <u>89</u> Notice of Interlocutory Appeal; Ninth Circuit Case number 18–15907. (ATD) (Entered: 05/18/2018)
05/21/2018	<u>92</u>	ORDER of USCA (18–15907) granting appellants' unopposed emergency motion to stay the district court's 3/22/18 order pending appeal ( <u>85</u> ) re: <u>89</u> Notice of Appeal filed by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Immigration and Customs Enforcement, United States Customs and Border Protection, United States Department of Homeland Security Office of Inspector General, United States Department of Homeland Security. (LAD) (Entered: 05/21/2018)
05/21/2018	<u>93</u>	STATUS REPORT <i>filed jointly with Defendants</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order Attachment A, # <u>2</u> Text of Proposed Order Attachment B)(Somvichian, Whitty) (Entered: 05/21/2018)
05/23/2018	<u>94</u>	ORDER: To the extent Defendants have not already submitted to Plaintiffs revised or supplemented Declarations pursuant to the Court's Order (Doc. <u>76</u> at 8–15), or revised Vaughn Indices pursuant to the same Order (Doc. <u>76</u> at 19–20, 22, 25–26), Defendants shall submit to Plaintiffs the required revisions and/or supplements by June 4, 2018, and Defendants shall file with the Court a Notice of Compliance the same day. IT IS FURTHER ORDERED that, as discussed in more detail in this Order, the parties shall each file a brief not to exceed five pages by June 4, 2018, addressing the requirements for filing on the public docket the information provided pursuant to a FOIA request. No responses or replies are permitted. Signed by Judge John J Tuchi on 5/23/2018. (REK) (Entered: 05/23/2018)
06/04/2018	<u>95</u>	NOTICE re: of Compliance by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement re: <u>94</u> Order, Set Deadlines . (Newton, Emily) (Entered: 06/04/2018)
06/04/2018	<u>96</u>	STATEMENT of Defendants re: <u>94</u> Order, Set Deadlines by Defendants United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Newton, Emily) (Entered: 06/04/2018)
06/04/2018	<u>97</u>	BRIEF re: <u>94</u> Order, Set Deadlines <i>Plaintiffs' Supplemental Brief re the Filing of Declarations and Vaughn Incidies</i> by Plaintiffs American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Somvichian, Whitty) (Entered: 06/04/2018)
06/04/2018	<u>98</u>	DECLARATION of Whitty Somvichian re: <u>94</u> Order, Set Deadlines <i>in Support of Plaintiffs' Supplemental Brief re the Filing of Declarations and Vaughn Indices</i> by Plaintiffs American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q)(Somvichian, Whitty)

		(Entered: 06/04/2018)
06/05/2018	99	NOTICE TO FILER OF DEFICIENCY re: <u>95</u> Notice (Other) filed by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Immigration and Customs Enforcement, United States Customs and Border Protection, United States Department of Homeland Security Office of Inspector General, United States Department of Homeland Security, <u>96</u> Statement filed by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Immigration and Customs Enforcement, United States Customs and Border Protection, United States Department of Homeland Security Office of Inspector General, United States Department of Homeland Security. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. No further action is required. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 06/05/2018)
06/07/2018	<u>100</u>	ORDER: IT IS ORDERED setting a telephonic status conference for Monday, June 25, 2018 at 3:00 p.m., Arizona time, in Courtroom 505, 401 West Washington Street, Phoenix, AZ 85003, to discuss whether any issues remain requiring further briefing in this case, with the exception of the issue on appeal. Chambers will e-mail dial-in information to all counsel prior to the telephonic hearing. Signed by Judge John J Tuchi on 6/7/18. (MAW) (Entered: 06/07/2018)
06/20/2018	<u>101</u>	Consent MOTION to Alter Time of Status Conference re: <u>100</u> Order, Set/Reset Hearings by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 06/20/2018)
06/21/2018	<u>102</u>	ORDER: IT IS ORDERED granting <u>101</u> granting Defendant's Unopposed Motion to Alter the Time of the Telephonic Status Conference. IT IS FURTHER ORDERED vacating the Telephonic Status Conference set for June 25, 2018, at 3:00 p.m. and resetting it for July 10, 2018, at 9:30 a.m. in Courtroom 505, 401 W. Washington Street, Phoenix, AZ 85003 before Judge John J. Tuchi. Chambers will e-mail dial-in instructions to counsel. (See attached Order). Signed by Judge John J Tuchi on 6/21/18. (JAMA) (Entered: 06/21/2018)
07/10/2018	103	MINUTE ENTRY for proceedings held before Judge John J Tuchi: Telephonic Status Conference held on 7/10/2018. Discussion held. IT IS ORDERED that the parties shall file a joint status report by no later than 5:00 PM on 8/31/2018.  TELEPHONIC APPEARANCES: Mitra Ebadolahi and Whitty Somvichian for Plaintiffs. Emily Newton for Defendants. (Court Reporter Elaine Cropper.) Hearing held 9:31 AM to 9:41 AM. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (JAMA) (Entered: 07/10/2018)
08/30/2018	<u>104</u>	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 08/30/2018)
08/31/2018	105	NOTICE TO FILER OF DEFICIENCY re: <u>104</u> Report – Status filed by United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Immigration and Customs Enforcement, United States Customs and Border Protection, United States Department of Homeland Security Office of Inspector General, United States Department of Homeland Security. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. <u>No further action is required</u> . This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (MSA) (Entered: 08/31/2018)
09/05/2018	<u>106</u>	ORDER: IT IS HEREBY ORDERED that the parties shall continue their good faith negotiations and file a joint status report by November 28, 2018, updating the Court on their progress. Signed by Judge John J Tuchi on 9/5/18. (JAMA) (Entered: 09/05/2018)

		09/05/2018)
11/28/2018	<u>107</u>	STATUS REPORT by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) (Entered: 11/28/2018)
11/28/2018	<u>108</u>	NOTICE TO FILER OF DEFICIENCY re: <u>107</u> Report – Status. Document not in compliance with LRCiv 7.1(a)(3) – Party names must be capitalized using proper upper and lower case type. <i>No further action is required</i> . This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (DXD) (Entered: 11/29/2018)
12/12/2018	<u>109</u>	ORDER: IT IS ORDERED that if the parties have not reached agreement on the issue of attorney fees by February 11, 2019, they shall file any Motions on that issue no later than that date. (See attached Order). Signed by Judge John J Tuchi on 12/12/18. (JAMA) (Entered: 12/12/2018)
01/30/2019	<u>110</u>	*Joint MOTION for Extension of Time to File any Motion for Attorney's Fees by United States Customs and Border Protection, United States Department of Homeland Security, United States Department of Homeland Security Office for Civil Rights and Civil Liberties, United States Department of Homeland Security Office of Inspector General, United States Immigration and Customs Enforcement. (Attachments: # <u>1</u> Text of Proposed Order)(Newton, Emily) *Modified to correct motion type on 1/31/2019 (REK). (Entered: 01/30/2019)
01/31/2019	<u>111</u>	ORDER: IT IS ORDERED granting <u>110</u> the Parties' Joint Motion to Extend. The parties shall continue their good faith negotiations and file any motion for attorney's fees, as necessary, by March 18, 2019. Signed by Judge John J Tuchi on 1/31/19. (JAMA) (Entered: 01/31/2019)
03/13/2019	<u>112</u>	*Joint MOTION for Extension of Time To File Motion for Attorney's Fees by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Attachments: # <u>1</u> Text of Proposed Order)(Somvichian, Whitty) *Modified to correct motion type on 3/14/2019 (REK). (Entered: 03/13/2019)
03/15/2019	<u>113</u>	ORDER: IT IS ORDERED granting the Joint Motion to Extend (Doc. <u>112</u> ). The deadline for filing any motion for attorney's fees is extended to May 30, 2019. There will be no further extensions. Signed by Judge John J Tuchi on 3/15/19. (JAMA) (Entered: 03/15/2019)
05/15/2019	<u>114</u>	STIPULATION of Dismissal <i>Stipulation of Partial Dismissal With Prejudice</i> by American Civil Liberties Union of Arizona, American Civil Liberties Union of San Diego and Imperial Counties. (Somvichian, Whitty) (Entered: 05/15/2019)
05/16/2019	<u>115</u>	NOTICE TO FILER OF DEFICIENCY re: <u>114</u> Stipulation of Dismissal filed by American Civil Liberties Union of San Diego and Imperial Counties, American Civil Liberties Union of Arizona. Document not in compliance with LRCiv 7.1(a)(1): The name, address, email address, State Bar Attorney number, telephone number, and optionally the fax number, of the attorney appearing for the party in the action or proceeding and whether the attorney appears for the plaintiff, defendant, or other other party – in propria persona – must be typewritten or printed in the space to the left of the center of the page and beginning at line one (1) on the first page. The space to the right of the center must be reserved for the filing marks of the Clerk. <i>No further action is required</i> . This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (REK) (Entered: 05/16/2019)
05/21/2019	<u>116</u>	NOTICE of Attorney Withdrawal <i>William B. Peard</i> filed by Kathleen E Brody. (Brody, Kathleen) (Entered: 05/21/2019)
05/29/2019	<u>117</u>	ORDER granting the Stipulation of Partial Dismissal with Prejudice <u>114</u> . IT IS FURTHER ORDERED dismissing with prejudice all of Plaintiffs' claims against Defendants relating to Plaintiffs' FOIA request, except for the issue on appeal; and any and all claims that Plaintiffs may have for attorney's fees, costs, and litigation expenses in this Court, including for work in this Court related to the issue on appeal, regardless

		of whether Plaintiffs ultimately prevail on the issue on appeal. IT IS FURTHER ORDERED instructing the Clerk of Court to close this matter.Should any decision or action by the Ninth Circuit Court of Appeals necessitate further action in this Court, the Court will order reopening of these proceedings as necessary. Signed by Judge John J Tuchi on 5/29/2019. (REK) (Entered: 05/29/2019)
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